

Polity of the Presbyterian Church of Canada,
in connexion with the Church of Scotland.

BOOK I.

THE NATURE, POWERS AND DUTIES OF THE SEVERAL CHURCH COURTS.

SESSION.

1. The Session is composed of the Minister and Elders of a Congregation.

2. When the Pastoral Charge consists of more than one Congregation, the Minister and the Elders of each may, if it be found desirable, constitute a Session for the oversight of that Congregation; but for representation in the higher Courts, all the Elders of a Charge, together with the Minister thereof, are regarded as one Session.

3. The business of a Session is to regulate all matters relating to the worship of God, and the spiritual government of the Congregation; in particular, to take an oversight of the members in respect of their walk and conversation, and to care for the religious instruction of the young and the ignorant; to admit and disjoin communicants; to grant certificates of membership; to exercise discipline; to direct the administration of the sacraments; to arrange for the election and ordination of additional elders, and judge of the qualifications of persons nominated to the eldership; to receive and dispose of memorials or petitions from the members; to transmit papers to the Presbytery.

4. The Minister is *ex officio* Moderator of the Session. In a Collegiate Charge the ministers preside at the meetings of the Session alternately, or otherwise, as settled between them: the one who is not presiding sits as a member. An ordained assistant and successor is a member of Session, but does not preside except by appointment of the minister, or when he is absent or incapacitated for acting. In the absence of the minister, another minister of the church may be authorized by him to act as Moderator, *pro tempore*. In case of a vacancy, the Presbytery appoints one of its members, being a minister, to be Moderator for a single meeting, or for a short period of time. A minister appointed by the Presbytery to preach in a vacant congregation may hold a meeting of Session for any competent business requiring immediate attention. No meeting of Session can be held without the presence of a minister as Moderator.

5. The Moderator and two Elders constitute a quorum.

6. The Moderator can convene the Session whenever he thinks a meeting necessary; and it is his duty to do so when requested in writing by two of the elders. It is regularly convened when summoned from the pulpit after public worship, or by personal citation to all the members.

7. In a congregation where, from any cause, there are not two ruling elders within its bounds, the Presbytery may appoint one or more of its own members, who shall have all the powers of elders in the Congregation until a Session is formed in the ordinary way. When such an appointment is for a vacant congregation, the Presbytery shall nominate a Moderator for the Session.

8. The Session determines when an addition to the eldership is requisite, and nominates persons, in its judgment the best qualified for election. A person nominated for election must be not less than twenty-one years of age, a member of the church in full communion, circumspect in his walk, punctual in his attendance upon ordinances, and regular in keeping up the worship of God in his family.

9. The appointment of elders may be made simply by the Session, or by election of the requisite number from a larger number nominated by the Session, the election being by a majority of the votes of the communicants in good standing, and under the direction of the Session. In a new congregation where there are no elders, the Presbytery shall use the best means in its power for getting an early election of elders.

10. After the appointment of elders has been made, the edict of their ordination is served at the close of public worship on a Sabbath not less than ten days before the ordination. If objections against any of them are lodged with the Session, procedure is delayed until such objections have been disposed of. The edict having been returned, if no objections are offered, or if those offered are found to be frivolous or unsupported by evidence, the Session appoints the ordination to proceed.

11. The ordination usually takes place on a Sabbath, after sermon, in the presence of the congregation. After satisfying answers have been given to the questions proposed, the elders are solemnly set apart to their office by prayer. They afterward receive the right hand of fellowship, and are exhorted regarding their duties as rulers of the house of God. Thereafter they are judicially called on to sign the Formula, and then their names are added to the Roll.

12. Elders coming from other congregations, and duly certified as being in good standing, may be received as members of Session, the serving of their edict and subsequent procedure in their case being the same as in the admission of new elders, excepting the act of ordination.*

13. The Session keeps a roll of the communicants, and revises the same once a year. If a communicant removes from the bounds of the congregation without asking for a certificate, the Session may, after the expiration of a year, remove his name from the roll. Certificates of membership may be granted by the Moderator and Clerk, or by the Moderator alone, when the Session is not met. The Session keeps a Register of Baptisms.

14. The Session Records must be regularly kept, and presented once a year to the Presbytery for revision.

15. The Session is represented in the Presbytery and Synod by one of the elders. The election is made annually, and the commission is forthwith sent to the Presbytery Clerk.

* When practicable, each elder has a district of the congregation assigned to him, of the members in which he keeps a list; with these he cultivates special acquaintance, visiting them, and giving them counsel, encouragement or warning, as need requires.

PRESBYTERY.

1. A Presbytery has its bounds fixed by the Supreme Court of the Church, and consists of all the ministers having charges within these bounds, assistant ministers being successors, professors in colleges connected with the church, being ordained ministers of the church, and an elder from each charge.

2. The Moderator is appointed annually, and must be a minister.* In the absence of the Moderator, his predecessor in the chair presides, and failing him, the oldest minister present.

3. Three members, of whom at least two must be ministers, are necessary to form a quorum and constitute a meeting of the Court.

4. The business of a Presbytery is to receive and dispose of all matters coming up from the Sessions within its bounds; to transmit overtures or other documents addressed to the Synod; to grant supplies of religious ordinances to vacant congregations and mission stations, and to congregations in the event of the illness or absence of their ministers; to erect new congregations, or alter the bounds of existing ones; to examine students, and on finding them duly qualified, to grant them certificates to enable them to enter the Divinity hall, or to return to it; to superintend the education of, and to try, such students and license them (when found qualified) to preach the gospel; to grant moderations in calls to vacant congregations; to dispose of such calls; to try the qualifications of candidates for the ministry, and to ordain and induct them to the pastoral office; to exercise discipline over all ministers and licentiates of the church within its bounds; to receive demissions and loose ministers from their charges; to revise the Records of the Sessions within its bounds, and generally to exercise a spiritual jurisdiction over all the ministers, licentiates, sessions and congregations within its bounds.

5. When application is made to a Presbytery on behalf of a student desiring license, he must be recommended by one or more of the clerical members personally acquainted with him for a period of at least six months. The Presbytery must be satisfied that he has completed his twenty-first year, unless special permission has been obtained from the Supreme Court to proceed in the case of one younger. It must also have received certificates from the Professors under whom he has studied, bearing evidence of his having passed through the whole course of study required by law, and delivered the appointed trial discourses. It must further have satisfactory evidence of his good conduct and piety. If the Presbytery is satisfied in these respects, it issues Circular Letters to the other Presbyteries within the bounds of the Synod, intimating its intention, with the leave of the Synod, to take such student on public probatory trials for license, which letters must be issued at least two calendar months before the meeting of Synod.

6. A student is entitled to receive interim certificates during the currency of the last session of his Divinity course, if necessary, so that the requirements of the last section may be complied with; but in this case, he shall, at the close of the session, forward to the Presbytery final certificates, which must be satisfactory; otherwise the Presbytery cannot proceed further than the steps already detailed.

7. The Presbytery, applying to the Synod for leave to take a student on trials for license, transmits an Extract Minute of its action in the matter, together with all certificates and documents furnished to it, and which bear on the application. Should it appear to the Presbytery that it is not desirable to delay the application of a student for license on account of some slight defect or informality in his certificates or other papers, the Presbytery may forward the application, but it must point out in its Extract Minutes the defect or informality, with such explanations as it may be able to make.

* The order of the Roll is usually followed in the appointment of Moderator, but, as in the case of inexperienced ministers, it is sometimes advisable to elect a Moderator without regard to this practice.

8. Leave having been obtained from the Synod, the Presbytery proceeds to the trials as appointed by the law of the Church. A Presbytery may, at the request of a student, transfer him to another Presbytery, granting him a Presbyterial certificate, which shall contain full information as to all that has been done anent his trials.

9. The trials being finished, the Presbytery takes a conjunct view of them, and, if dissatisfied with them, remands the student to his studies, or appoints new trials for him to undergo, or refuses to license him to preach the gospel. Its opinion, whether favourable or unfavourable, is recorded. If favourable, it then proposes the questions appointed to be put to such as are to be licensed. Satisfying answers having been given to the questions, it requires him to sign the Formula for probationers. The Moderator then, by authority of the Presbytery, and in the name of the Lord Jesus Christ, licenses him to preach the gospel and exercise his gifts as a probationer for the holy ministry.

10. When a licentiate has gone to reside within the bounds of any Presbytery, he is required, at the earliest opportunity, to report himself to said Presbytery, producing his Extract of License, of which a note shall be taken by such Presbytery.

11. When a licentiate is to be ordained to the office of the ministry, the Presbytery appoints trials similar to those which he underwent before obtaining license. All further requirements of the Form of Process in this matter having been observed, the presiding minister thereafter invests him with the full character of a minister of the gospel, conveying to him by prayer and the laying on of the hands of the Presbytery, all the powers and privileges implied in that character. The brethren present then give him the right hand of fellowship.

12. Presbyteries shall, at either their first or second ordinary meeting after the rising of the Synod, or at a special meeting called for the purpose, consider and decide on all overtures, and other business remitted to them by the Superior Court, and in due time send up all reports and other documents required by such court.

13. Meetings of Presbytery held at stated times are called *Ordinary Meetings*. Those which are appointed at an ordinary meeting for the transaction of special business are called *Special (ad hunc effectum) Meetings*, and can transact only the business for which they are appointed. Meetings called by the Moderator for emergent business are termed *Pro re nata Meetings*. He may call these meetings either on his own motion, or when requested by two or more members to do so. In calling such meetings, the Moderator, or the Clerk on his special authority expressed in writing, must send a circular letter to each member of the court. This circular letter intimates the time and place of meeting, and specifies the business to be transacted. A sufficient time must elapse between the date of the circular and the meeting called. At such meeting, the conduct of the Moderator in calling it must be approved of before any business is taken up, and no business can be entered upon except what is named in the circular letter. Special and pro-re-nata meetings may be adjourned from time to time for the completion of the business for which they are held.

14. When from any cause a Presbytery shall have become defunct, it shall be competent for any three or more of its members to address a requisition to the Moderator to call a meeting of all the members of Presbytery on a day not less than ten, nor more than fifteen days from the date of such requisition, by circular letter addressed to every member on the Roll of the Presbytery at the time of its last meeting, with which requisition he shall comply; and, if a quorum of members shall

assemble on the day named; it shall be competent for them to proceed to business as at an ordinary meeting. If the Moderator shall have died, or removed, or if from any cause he shall be absent from the bounds, the Clerk shall have power to act in his stead for the purposes of this section.

15. Members of other Presbyteries who may happen to be present at a meeting of Presbytery have by right no status as members thereof, but, by invitation of the court, may have the privilege of sitting and deliberating, but not of voting. If appointed as visitors by their own Presbytery, the Presbytery to which they come is bound to extend to them the privilege above named.

16. Members of one Presbytery, or more, when appointed as assessors by the Synod, shall have the right to sit and vote as constituent members of another Presbytery, on any particular business, or at any particular time.

17. In the general oversight of the ministers, sessions and congregations within its bounds, should it in any way come to the knowledge of the Presbytery that a state of things exists in any congregation by which the usefulness or comfort of the minister is seriously impaired, or the edification or prosperity of the congregation is seriously hindered by causes which do not subject any of the parties concerned to the ordinary process of discipline for offences, the Presbytery, if it see fit, shall without delay investigate the matter, by a carefully selected committee, or by a Presbyterial visitation, and use suitable means to bring about a proper state of matters. Should the Presbytery be satisfied that the continuance of the minister in his present position is not likely to prove comfortable or useful for himself or beneficial to the congregation, it shall record its solemn judgment as to the necessity of his being removed from that position, together with the grounds on which it has formed such judgment. Provided that, before this judgment is pronounced, the minister and two representatives of the congregation shall be heard for their interests. The Presbytery shall then transmit Extract Minutes of the whole proceedings to the Synod, together with all documents necessary for the understanding of the case, and shall crave from that Court permission and authority to separate the minister from the congregation on such conditions as the Synod shall appoint. Until the judgment of the Synod is given, the status of the minister shall not in any way be affected by the action of the Presbytery.

18. It belongs to Presbyteries to extend their care over all the adherents of the Church within their bounds; to organize congregations in places where a sufficient number of adherents are found, although such may not be ripe for settlement; to ordain elders over them, if suitable persons can be found; and to require them to adopt the Model Constitution, and conform their practice to its requirements, the adoption of this being obligatory on new congregations.

19. It belongs to Presbyteries to use all proper means to cause congregations within their respective bounds to implement all their pecuniary obligations for the maintenance of ordinances, and especially, as opportunity offers, to advise and direct them in supporting liberally the office of the Ministry.

20. It is the duty of a Presbytery to see that every minister faithfully attends to his pulpit and pastoral duties. Should a minister in any circumstances leave his charge for more than six weeks, without the permission of his Presbytery, proceedings may be taken against him; and, if cause appear, the Presbytery may sever him from his charge, and declare it vacant.

21. At the meeting of Presbytery next preceding the meeting of Synod, the Roll is made up so as to show the names of ministers in the order of their admission to the Presbytery, the dates of their appointment, the names of the representative elders, and the charges. To this are added the names of vacant charges, being such charges as have once had ministers regularly settled, and the names of mission stations; also, the names of all retired ministers, ministers without pastoral charge, missionaries, licentiates, and catechists, within the bounds, and the Post-office addresses of ministers. The Presbytery Clerk is required to send a copy of the Roll, so made up, to the Synod Clerk, so as to be in his hands not less than four clear days before the meeting of Synod; such copy to be attested as having been revised and ordered to be transmitted. Should any change have occurred between the time of the Roll being made up and the transmission, the Clerk shall append a note of such change, signed by him.

22. Presbyteries are required to send up to the Annual Meeting of Synod a condensed report of their principal proceedings, including the licensing of probationers, the ordination and induction of ministers, the removal of ministers by death or otherwise, the organization of new congregations, the formation of new mission stations, the employment of missionaries, their principal missionary operations, and any other facts important as historical data.

SYNOD.

I.—GENERAL PROVISIONS.

1. The Synod is composed of the members of all the Presbyteries within its bounds.
2. The Synod is constituted by the Moderator of the preceding Session, or, in his absence, by some other member; preference being given to one who has formerly been Moderator.
3. The Roll of the Synod consists of the attested Rolls of the several Presbyteries. The Rolls of the Presbyteries are, in making up the Synod Roll, placed in the order of seniority in the formation of the Presbyteries.
4. The Moderator, with the advice of the College of former Moderators, nominates a member of the Synod, (who must be a minister) as his successor, and the election then takes place by a motion which is disposed of by the Court in the ordinary way.
5. The Synod receives and disposes of business coming up from Presbyteries in the way of Overture, Reference, Complaint, and Appeal; reviews the conduct of these Courts, affirming, reversing, or varying their sentences, when necessary; grants leave to Presbyteries to take Students on trial for license; revises their Records; and exercises a general inspection and control over them.
6. To constitute a quorum of the Synod there must be present not fewer than fifteen members, of whom at least eight must be ministers.

II.—THE SYNOD AS THE SUPREME COURT.

1. The Synod appoints annually a Committee on Business which meets previously to the following session, and arranges the various items of business coming before the Court, so as to facilitate the orderly conducting of such business.
2. The Synod at its first Diet appoints a Committee on Bills and Overtures, and a Committee on References, Complaints, and Appeals, and all bills, overtures, petitions, memorials, references, complaints, appeals or other documents, addressed to the Synod, must be examined by these Committees, and they are not noticed in the Synod unless transmitted by the proper Committee, except the cases mentioned in Section 5.—The Synod also appoints such other Committees as may be required for forwarding the business.
3. When causes come up for trial, the Synod appoints a Judicial Committee whose duty it is to digest and arrange all the papers, and to prescribe, under the direction of the Court, the whole order of the proceedings thereanent.
4. The Reports of Committees are presented in written form.
5. Should the Committee on Bills and Overtures or that on References, Complaints, and Appeals refuse to transmit to the Synod any matter brought before them, their decision may be appealed from, which appeal the Synod shall hear and dispose of; or persons interested may apply to the Synod by Petition setting forth reasons why such matter should come before the Court; and the Synod shall consider such petition and act as seems meet in the matter.
6. The Boards of Management and Committees having charge of the Public Schemes of the Church are appointed as provided for by the Statutes of Incorporation or the Acts of the Synod thereanent, and they are required to make their reports to the Synod, as directed by existing enactments, or as specially ordered.

7. When a Presbytery reports to the Synod its judgment that a minister ought to be loosed from his pastoral charge for reasons other than his suspension or deposition from office, the Synod shall duly consider the case as sent up (the minister and a commissioner from the congregation having opportunity to be heard), and shall pronounce a judgment, empowering and instructing the Presbytery to separate the minister from his charge from and after a day named; or shall otherwise decide and instruct the Presbytery as to what further action it should take.

8. The Moderator may call a *pro re nata* meeting of the Synod in extraordinary circumstances, provided the business requiring it affects the whole Church, and when the want of a meeting might cause serious injury to the property or interests of the Church, and further when he shall have received a requisition asking him to call it, signed by five members of Synod, or else when he shall have consulted as many members of the Synod as possible, and shall have been generally advised by them to call it. To call such a meeting, the Moderator shall transmit at least three weeks before the time of meeting a circular letter addressed to each member whose name appears on the Roll of the last preceding annual session, naming the time and place for the meeting, and the business to be done. No business can be done other than that named in the circular letter calling the meeting.

COMMISSION OF SYNOD.

(Act in force, adopted, May 26th, 1859.)

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Polity of the Presbyterian Church of Canada in connection with the Church of Scotland.

BOOK II.

RULES OF PROCEDURE.

I. GENERAL RULES FOR CHURCH COURTS.

1. The Moderator shall take the chair at the hour to which the Court stands adjourned, shall call the members to order, and, on the appearance of a quorum, shall constitute the meeting with prayer.

2. If a quorum be not assembled within one hour of the time appointed for the meeting, it shall be competent for any two members to adjourn from time to time that an opportunity may be given for a quorum to assemble.

3. At the first assembling of a judicatory, the Roll shall be called and the Sederunt recorded; and members coming in afterwards shall have their names noted on the minutes as they appear.

4. The Minutes shall be read at the opening of each diet of the Session, and corrected as may be requisite.

5. Each judicatory elects its own Clerk, and provides for his salary.

6. It is the duty of the Clerk to keep all papers in perfect order, so that they may be ready when needed, and to keep a docket containing memoranda of any business left unfinished at a former meeting; on which he shall also enter every item of business to be brought before the Court.

7. After the Court is constituted, and the minutes are sustained, the Moderator shall call for any papers and reports which are to be given in at that meeting, which, being given in, shall be arranged by the Clerk, and noted on the docket, unless otherwise specially ordered.

8. The Moderator shall at all times preserve order and see that business is conducted in a regular manner, endeavouring to bring all business to a speedy and proper conclusion.

9. No member of any Church Court shall retire from a meeting without leave of the Moderator, nor withdraw from it to return home, without the consent of the Court.

10. The Moderator shall name all Committees of the Court, unless otherwise provided for by motion or rule.

11. The Presbytery and Synod are open Courts, but, in the trial of certain causes, to avoid scandals, it is desirable to sit with closed doors. A motion to have a particular matter discussed with closed doors is therefore competent.

12. It is incompetent for any inferior Court to erase any part of the Records of a former meeting, unless when ordered by a superior Court.

13. It is the duty of the Moderator to see that the Minutes, as taken down, correctly record the proceedings of the Court, and for this purpose he shall have the portions of the Minutes as they are framed, read and amended or corrected as necessary, until he is satisfied of their accuracy.

14. In all Courts the following fees shall be payable to the Clerk by the parties concerned, namely :

Each person recording a dissent simpliciter, 25 cents.

For reasons entered on the Minutes in support of such dissent, 20 cents for the first, and 10 cents for each subsequent one.

For Extracts of Minutes or copies of papers furnished to individuals, for every 100 words or fraction thereof, 12½ cents.

The proceeds of such fees in the Synod to be applied in aid of the Synod fund, and in the other Courts to such purpose as the Court may direct.

II. STANDING ORDERS OF THE SUPREME COURT.

Copy of the Act adopted May 31, 1859, with the following additions: (*Motions*.) XVII. If a motion under debate contains several parts, any two members may have it divided and the question taken on each part.

Miscellaneous.

I. During a Session the Synod shall meet every morning at half past nine, and, before proceeding to any business, engage in devotional exercises:—continue each Diet till five o'clock, P.M., with an interval between one and half past two; and resume proceedings in the evening at seven, when considered necessary.

II. The Synod, at its Annual Meeting, shall nominate a Committee on business for the following year, to meet at the place where the Synod shall be appointed to be held, and previous to the Synod's meeting, to arrange as far as possible the whole business of the Session, and prepare and print a docket for the use of members. The Moderator and Clerk of Synod, the Presbytery Clerks, and nine other members of the Synod, of whom five must be elders, the best qualified for this purpose that the Synod can select, shall compose this Committee. Papers of every description, without exception, intended to be submitted to the annual meeting of Synod must be laid before this Committee at their said meeting; and accurate intimations of their contents must be forwarded to the Synod Clerk, at least four clear days before the meeting of Synod; nevertheless this order shall not be held as preventing any papers from being presented and received by permission of the Synod, at any time in the course of the meeting, when they refer to matters arising out of the proceedings of the meeting to which they are presented, but such papers only shall it be competent to receive in this way.

III. In order that all documents coming before the Synod may be preserved in a form easy of access and convenient for reference, Reports, Overtures, References, Appeals, Extract Minutes, and all other matters whatsoever, intended to be submitted to the Synod, or Commission of Synod, shall be written on foolscap paper with sufficient margins, so as

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to admit of their being bound in volumes; and for the sake of securing fully the ends of justice, parties are recommended, who have causes or questions which they deem it important to bring before the Synod for consideration and disposal, to print copies of the same in sufficient numbers for the use of members, and in a shape suitable for binding along with the printed minutes of Synod.

IV. In the appointment of Committee, unless otherwise specially provided, the person first named shall be the Convener thereof, whose duty it shall be to call the Committee together at the proper time: and in the case of his absence or inability to act, the second named member shall take his place and perform his duties.

V. The Legislative Enactments of the Supreme Court are regularly transmitted to the several Presbyteries, and are in force for only one year, if the dissent of a majority of Presbyteries be intimated to the meeting of the Supreme Court next after that, at which such enactments have respectively been made.

VI. Regulations anent Records of Church Courts.

1. The pages are to be numbered in words at length.

2. Every page is to be signed by the Clerk, and the Records of each Session by the Moderator and Clerk. In case of the death or removal of the Moderator or Clerk, the Record shall afterwards be signed by the then acting Moderator or Clerk, in the presence of the Court, *cum nota* of the cause.

3. The time and place of meeting are to be minutely stated in words at length.

4. The place and date of each meeting are to be shortly indicated on the margin at the top of each page.

5. Every page is to have a suitable margin, on which notes shall be written, distinctly indicating the various items of business.

6. All Church Courts shall take special care that their Records are correctly written; if anything has to be erased as superfluous, it shall be marked on the margin how many words or lines are erased and that it was done by competent authority; and the marginal note shall be signed by the name or initials of the Moderator or Clerk; and if anything be omitted, it shall be written on the margin and signed by the Clerk.

Here take in III. process for calling and settling Ministers, June 10, 1867. Minutes, p. 29.

IV. Act anent Students and Candidates for the Holy Ministry, June 8, 1868. Minutes, p. 37.

V. ACT ANENT RECEPTION OF MINISTERS.

"Whereas there is at present a great and lamentable want of Ministers, and, from the laudable desire on the part of Presbyteries to supply the congregations under their care, destitute of fixed Pastors, with the stated dispensation of ordinances, there is reason to fear that Presbyteries might be disposed to settle Ministers with undue haste:—And whereas, the circumstances of the Church at all times, but more especially at present, call for the exercise of the greatest care and faithfulness on the part of Presbyteries, in settling Ministers over vacant charges, —the Synod enjoin Presbyteries to take special care in settling Ministers, that they be men of great prudence, undoubted piety, and highly respectable Ministerial gifts; and further, not to ordain or settle Ministers coming from other churches, whatsoever be their credentials, except in accordance with the following rules:—

"1. That no Probationer or Minister belonging to any Church, not in communion with this Church, shall be received by any Presbytery, without examination of his Literary and Theological attainments, his reasons for joining this Church, and his views of its constitution and government, as well as ample certificates of his good standing in the body from which he comes.

"2. That no Probationer or Minister shall be taken on trials, to be received into this Church, until he has produced evidence satisfactory to the Presbytery, of his having gone through a course of education analogous to that required by this Church, and by the Church of Scotland.

"3. That every such Probationer or Minister shall reside at least one year within the bounds of the Synod after his being received, and be reported to the Synod by the Presbytery, before he can receive a call from any congregation in this Church; but he may, in the meantime, be employed as a Missionary, under the direction of the Presbytery.

"4. That the whole proceedings of each Presbytery in regard of receiving any such Probationer or Minister shall be read and approved in Synod, previous to his being ordained or inducted as a Minister of this Church.

"5. That before receiving any Probationer or Minister known to be under censure of any Church, in communion with this Church, Presbyteries shall correspond with such Church."

VI. ACT ANENT REPRESENTATION OF THE ELDERSHIP.

It shall be the duty of every Kirk-session to elect one of their number, being a *bona fide* acting elder of the congregation, to represent the Session in the Superior Courts for the year; and it shall be the duty of the Minister or any Ordained Minister of the Church acting by his authority, or, in the case of a vacancy, by the authority of the Presbytery, to call a meeting of Session for the purpose of such election on some convenient day within two months after the annual meeting of Synod; and it shall be the duty of the Elder elect to transmit or present his Commission to the Presbytery without delay, it being competent for any meeting of Presbytery to receive and sustain Elders' Commissions.

II. It shall be the duty of Presbyteries to ascertain that Kirk-sessions and Ministers perform their several duties in this respect, and take order, where from any cause an election has not taken place within the two months specified in this Act, that it be made with all convenient speed.

III. The Representative Elder shall in every case hold office till his successor is appointed, or till the expiry of the two months, whichever shall first happen.

IV. It shall be competent for Representative Elders to resign and for Sessions to appoint successors, whose Commission shall be valid when sustained by the Presbytery, or Synod, if no meeting of Presbytery intervene.

V. The Elders of a Charge consisting of more than one congregation shall constitute one Session for the purposes of this Act.

FORMS.

I. SESSION.

1. *Edict for ordination of Elders.*

Messrs. A. B. &c. having been duly elected as elders in this congregation, it is hereby intimated that, if any of the members of this Church

have any objections to state against the ordination of the brethren named, they are required to give in such objections to me (if the edict is served by the minister, or to some one else named, if by the Presbytery) within ten days, that they may be heard by the Session; (or Presbytery) with certification that if no valid objections are adduced, the Session (or Presbytery) will therefore, without delay, proceed to the ordination of the said Messrs. A. B. &c.

In case of receiving an elder who has been already ordained elsewhere, the word *admission* will be substituted for *ordination*.

2. Questions at ordination of Elders.

1. Do you believe the Scriptures of the Old and New Testaments to be the word of God, and the only infallible rule of faith and practice?

2. Do you sincerely own and declare the doctrine contained in the Shorter Catechism of this Church, to be the true doctrine, to which you will adhere?

3. Do you own the Presbyterian Church government by Sessions, Presbyteries, Synods and General Assemblies to be the only government of this Church; and do you engage to submit thereto, concur therewith, and never endeavour, directly or indirectly, the prejudice or subversion thereof.

4. Do you promise to observe uniformity of worship, and of the administration of all public ordinances within this Church, as the same are at present performed or allowed?

3. Formula for Elders.

I do sincerely own and declare the Scriptures of the Old and New Testaments to be the word of God; and the Westminster Shorter Catechism to contain the true doctrine to which I will constantly adhere; as likewise that I own and acknowledge the Presbyterian Church government of this Church by Sessions, Presbyteries, Synods and General Assemblies, to be the only government of this Church; and that I will submit thereto, concur therewith, and never endeavour, directly or indirectly, the prejudice or subversion thereof; and that I shall observe uniformity of worship, and of the administration of all public ordinances within this Church, as the same are at present performed or allowed.

4. Commission to Representative Elder.

At (place and date.)

The Session met and was constituted.

"The Session elected Mr. A. B. one of their number to represent them in all meetings of the Presbytery and Synod during the current year."

Extracted from the Records of the Session of
by C. D.

Sess. Clk.

5. Ordinary Certificate to church member.

That A. B. leaves the bounds of the Congregation of C. as a communicant in good standing and bearing a good moral character, is certified by order of Session (or in interval of Session) at C. this
day of 18 by E. F. Minister (or Sess. Clk.)

II. PRESBYTERY.

1. Model Constitution.

(Copy, now in force.)

2 to 7. (Forms in process for calling ministers. June 10, 1867.)

8. *Attestation on Call.*

That the within call was moderated in by me at the time and place stated, and that the names appended thereto are the subscriptions of the parties themselves, or written by their express request, is attested by me at C. this day of &c.

A. B. Minister.

9. *Citation of Congregation on proposed translation of Minister.*

The Rev. A. B. Minister of this Church having received a call to become Minister of the Church and Congregation of C. in the Presbytery of D.—intimation is hereby given by authority of the Presbytery of E. to the Elders and all others interested to appear at a meeting of the said Presbytery of E. to be held in on the day of at o'clock in the [forenoon] to state their reasons, if they have any, why Mr. B's translation should not proceed; and they are certified that if none compear, they will be held as consenting to said translation.

10 *Declaration of vacancy.*

The Rev. A. B. late Minister of this Church having (state cause of removal, as death, translation, deposition, resignation, &c. giving dates.) I hereby, in name and by authority of the Presbytery of C. declare this Church and Congregation to be vacant, from and after the day of &c.

11. *Questions for License.*

1. Do you believe the Scriptures of the Old and New Testaments to be the word of God, and the only rule of faith and manners?
2. Do you sincerely own and believe the whole doctrine of the Westminster Confession of Faith to be the truths of God, contained in the Scriptures of the Old and New Testaments; and do you own the whole doctrine contained therein, as the Confession of your faith?
3. Do you sincerely own the purity of worship presently authorized and practised in this Church; and also own the Presbyterian government and discipline established therein; and are you persuaded that the said doctrine, worship, discipline and Church government are founded upon the Word of God and agreeable thereto?
4. Do you promise that through the grace of God you will firmly and constantly adhere to, and in your station to the utmost of your power, assert, maintain and defend the said doctrine, worship, and discipline and the government of this Church by Sessions, Presbyteries, Synods and General Assemblies?
5. Do you promise that in your practice you will conform yourself to the said worship, and submit yourself to the said discipline and government of this Church, and will never endeavour, directly or indirectly, the prejudice or subversion of the same?
6. Do you renounce all doctrines, tenets or opinions whatsoever, contrary to, or inconsistent with the said doctrine, worship, discipline, and government of this Church?
7. Do you promise that you will subject yourself to the several judicatories of this Church, and are you willing to subscribe to these things?

12. *Presbytery's Circular Letter.*

REV. SIR :

Place and date.

The Presbytery of A. having had the necessary certificates in his favour regularly laid before them, purpose, with permission of the Synod, to take Mr. B. C., student in Divinity, on public probationary trials for license.

I am, &c.,

D. E., *Pby. Clerk.*

To the Rev. the Moderator
of the Presbytery of _____
To be communicated.

13. LICENSE.

At _____, the _____ day of _____, one thousand, &c.,
Which day the Presbytery of _____ having taken into consideration that A. B., Student in Divinity, had passed the usual course of literature and philosophy, and thereafter the usual course of Divinity required by the Acts of the Presbyterian Church of Canada in connection with the Church of Scotland; that he had produced satisfactory testimonials of his proficiency and conduct as a student, and that he had delivered the prescribed discourses; that all the previous steps had been duly taken, and the leave of the Synod obtained to his being taken on public probationary trials; that having been admitted to these trials, he had now completed them; did, on a review of his whole appearances, declare their satisfaction therewith, and agree that he should be licensed to preach the gospel. Whereupon the questions required by the laws of this Church to be put to such as are to be licensed were put to him, and he gave satisfying answers to all the same, and judicially signed the formula. By all which, he came under the engagements to the doctrine, worship, discipline and Presbyterian Church government contained therein. Whereupon the Presbytery of _____ did, and hereby do, license the said Mr. A. B. to preach the gospel of Christ and exercise his gifts as a probationer for the holy ministry; and, moreover, grant him this Extract of License and testimonials in common form.

14. *Questions at the Ordination of a Minister.*

(Process, June 10, 1867.)

15. *Formula for Licentiates and Ministers.*

(Process, June 10, 1867.)

16. *Bond for payments to Widows' Fund.*

(Form in use.)

BOOK III.

DISCIPLINE.

CHAPTER I.—NATURE AND OBJECT.

1. Discipline is the exercise of that spiritual authority which the Lord Jesus Christ has appointed in His Church. Its objects are the rebuke of offences, the removal of scandals, the vindication of the Divine honour, the promotion of the purity and edification of the Church, and the spiritual good of the members.

2. An offence, the object of discipline, is anything in the principles or practice of a member of the Church which is contrary to the word of God, the Confession of Faith and the Catechisms of the Westminster Assembly. Hence, nothing is to be regarded as just cause of discipline which cannot be shown to be condemned by Scripture or by the established regulations and practice of the Church, founded on Scripture; or unless involving those evils which discipline is intended to prevent.

3. Offences may be personal or general, private or public. *Personal offences* are violations of the Divine law, considered in the special relation of injury or wrong done to individuals; *general offences* are heresies or immoralities having no such relation, or as considered apart from it. *Private offences* are those which are known to only one or a few persons; *public offences* are those which are notorious.

CHAPTER II.

Of the parties in cases of process.

1. Process against an offender shall not be commenced unless some person undertakes to make out the charge; or unless a *fama clamosa* is so loudly proclaiming the scandal that a Church Court finds it necessary, for the honour of religion, to investigate the matter.

2. In the case of personal offences, the injured party cannot become a prosecutor without having previously tried the means of reconciliation and of reclaiming the offender, required by Christ, Matt. xviii, 15, 16; nor can those to whom private offences are known become accusers, without having previously used private means to remove the scandal.

3. In the case of general offences a Church court may commence process either at the instance of an individual or individuals who appear as accusers, and undertake to substantiate the charge, or at their own instance on the existence of a *fama*. In the latter case the previous steps required in case of personal offences are not obligatory; yet, with the view of reclaiming an offender by tender treatment, a judicatory should use private means by a Committee or a friendly conference to bring him to a proper sense of his guilt, before commencing process.

4. Before commencing process on the ground of a *fama* a judicatory must be satisfied that such *fama* really exists; and no rumour is to be considered as such, unless it specify some particular sin or sins, is widely spread, generally believed, and has strong presumption of truth.

5. If a slandered individual should himself request a judicial investigation in consequence of the existence of rumours injurious to him, but which the Court does not consider as constituting a *fama*, as above defined, the judicatory may institute such investigation. If in such investigation the individual is proved guilty, the judicatory shall deal with him the same as if convicted by regular process.

6. The original parties in a process are the *accuser* and the *accused*; and in process on the ground of a *fama*, the judicatory may appoint, if they see meet, a person to represent the *fama* who shall act as the accuser or the judicatory itself may so act. In case of appeal, these parties become *appellant* and *appellee*.

7. Great caution is to be exercised in receiving accusations from any person who is rash or malicious, who is not of good character, who is himself under censure or process, or who is personally interested in the conviction of the accused.

8. Any prosecutor, but especially the prosecutor of a Minister, should be previously warned, that, if he fail to show good cause for the charges made, he must himself be censured as a slanderer, in proportion to the malignity or rashness of which he shall appear to have been guilty.

CHAPTER III.

Of Process. General Provisions.

1. Original jurisdiction in relation to Ministers and Licentiates belongs to the Presbytery, and in relation to other Church members to the Session.

2. All accusations shall be presented in writing, in which, as far as possible, times, places and circumstances shall be particularly stated. The judicatory shall then furnish the accused with a copy of the accusation, with the names of the witnesses who may be cited to prove the charges. All parties shall then be cited to appear at a subsequent meeting, which, in the case of a Presbytery, shall not be held sooner than ten days after the citation, and in the case of a Session, two days.

3. At this subsequent meeting the accused shall answer in writing. If he confess, or admit the facts charged, but deny that they constitute an offence, the Court, after hearing the parties, may proceed to judgment. If he deny the charges, the trial shall proceed.

4. Citations to parties are usually to be made in writing. Citations to witnesses may be made in writing or verbally at the discretion of the judicatory. A verbal citation to a witness may be made by one of the parties, or by any other competent person. A certificate of the serving of citation shall in all cases be lodged with the Court. Any person, either party or witness who may be present at a meeting of the Court may be cited *apud acta*.

5. When an accused person refuses to obey a citation, he shall be cited a second time with certification that if he do not appear at the time appointed, unless providentially hindered, (of which he must notify the Court,) he will be dealt with for contumacy. If he fail to appear the Court may proceed to trial and judgment in his absence. The time allowed for his appearance on the second or any subsequent citation shall not be less than is quite sufficient for a reasonable and convenient compliance with the citation.

6. If the accused party shall purposely absent or secrete himself, so that process cannot be served on him, the judicatory may suspend him until he shall appear and answer to the accusation.

7. Before proceeding to trial or to censure for contumacy, judicatories must ascertain and record the fact that their citations have been duly served.

8. The witnesses shall be examined in the presence of the parties (or after due notice to attend;) and the parties shall be permitted to cross-examine them, asking through the Moderator, any relevant and respectful questions. After the testimony has been concluded, the parties shall be heard.

9. Minutes of the whole proceedings shall be regularly kept by the Clerk of the judicatory, but shall not be entered on the permanent records until the trial has been completed. If the accused is acquitted, these minutes shall be then destroyed; and the only record entered shall be a statement that such charge had been made, and that the party had been acquitted. If the accused is convicted, the charges, the answer and the judgment shall be recorded, and the whole minutes of the trial, including all the citations and returns thereto, the acts and orders of the judicatory relating to the cause, and all the testimony adduced, shall be attached together, and kept *in retentis*.

In case of an appeal or complaint, these minutes together with the notice of appeal or complaint and the reasons thereof, if any have been minuted or filed, shall be duly authenticated by the Clerk, and transmitted to the higher Court. These papers shall be called the "judicial record." Nothing shall be taken into consideration in the higher Court which is not contained in the judicial record.

10. All parties shall be entitled to receive copies of the judicial record, or extracts therefrom, at their own expense; and on the final judgment of a cause, the higher Court shall retain the judicial record.

11. Questions relating to evidence shall be decided by the Moderator, subject to appeal to the Court. Decisions on points of order or evidence need not be minuted unless desired by a party, and then at the discretion of the Court.

CHAPTER IV.

Special provisions pertaining to process before Sessions.

1. In case it is impracticable to commence process immediately against an accused person, and the time for observing the Lord's Supper is near at hand, the Session may, if they think the edification of the Church require it, prevent the accused person from coming to the Lord's table at that time, the charges being afterwards, as soon as practicable, examined and disposed of.

2. When an accused person has been twice duly cited, and refuses to compare, or comparing, refuses to answer the charges brought against him, he shall be suspended from the communion of the church for his contumacy; and this sentence shall not be removed until he repents of his contumacy, and submits to the orders of the Court.

3. The censures to be inflicted by the Session are admonition, rebuke, suspension from sealing ordinances, and in case of gross and flagrant offenders, excommunication.

4. The Session may suspend or depose a ruling elder from his office, with or without suspension from the communion of the Church, as the case may require.

5. A sentence may simply pass in Court, or if it be thought expedient to publish it, it shall be published only in the Church or Churches which have been offended.

CHAPTER V.

Provisions pertaining to process against a Minister.

1. As the honour and success of the gospel depend, in a great measure, on the character of its Ministers, it is the duty of the Presbytery carefully and impartially to watch over the personal and professional conduct of all its members. But as no Minister ought, on account of his office, to be screened from the hand of justice, nor his offences to be slightly censured, so neither ought scandalous charges to be received against him on slight grounds.

2. It is the duty of all christians to be very cautious in taking up an ill report of any man, but especially of a Minister of the gospel; therefore if any man know a Minister to be guilty of a private fault, he should warn him in private. But if the guilty person persist in his fault, or it becomes public, he who knows it should apply to some other Minister of the Presbytery for his advice.

3. If a Minister is supposed to have committed an offence at a distance from home, which is not likely to become known to his own Presbytery, it shall be the duty of the Presbytery, within whose bounds the offence is alleged to have been committed, to send notice to the Presbytery of which he is a member of the offence charged, and the grounds for believing the truth of the charge; and the Presbytery, on receiving such notice, shall, if they think it necessary, proceed against him, as in a case of *fama*.

4. If a Minister, accused of an offence, shall refuse to attend the Presbytery after being twice duly cited to appear and answer the accusation, he may be immediately suspended from his office; and if, after another citation, he shall refuse to attend, he shall be deposed as contumacious.

5. If, upon trial, a Minister shall be found guilty, he shall be admonished, rebuked, suspended from the functions of the ministry, deposed, with or without deprivation of Church privileges, or excommunicated, as the Court shall deem fit.

6. Heresy and schism may be of such a nature as to infer deposition: but errors should be carefully considered whether they strike at the vitals of religion, and are industriously spread, or whether they arise from the weakness of the human understanding and are not likely to do much injury. In the latter case, the Presbytery should use prudent measures to remove the offence.

7. A Minister deposed for scandalous conduct shall not be reposed, even on evidence of the deepest sorrow for his sin, until after some time of eminent and exemplary, humble and edifying conversation, to heal the wound made by his scandal; and until public sentiment is strongly in favour of his restoration, and then only by the Presbytery which deposed him, or by the higher Court.

8. Deposition involves the separation of the pastoral tie, and the congregation shall be forthwith declared vacant. In suspension, the Presbytery shall decide whether such separation shall take place or not.

CHAPTER VI.

Of cases without process.

1. When an individual commits an offence in the presence of the Court, or when he voluntarily confesses his guilt, it is competent to the

Court to proceed to judgment without process, the offender having the privilege of being fully heard. The record must show the nature of the offence, the judgment of the Court and the reasons thereof.

2. Should such judgment be appealed from, the Court itself, or any member or members thereof, appointed for the purpose, shall act as appellee.

3. When a member, elder, or Minister shall renounce the communion of the Church by joining another denomination without a regular dismission, if the denomination be evangelical, and he be in good standing, the irregularity shall be noted in the records of the Court having jurisdiction, and his name erased. If charges are pending against him, they may be prosecuted. If the denomination be heretical, he may be suspended, excommunicated, or deposed without trial, any further than the Court's ascertaining and recording the fact of his joining said denomination.

CHAPTER VII.

Of Evidence.

1. Judicatories should be very careful and impartial in deciding on the competency and credibility of witnesses. Either party has a right to challenge a witness, and the Court decides on his competency. Disbelief in the existence of God or a future state of rewards and punishments involves incompetency.

2. The credibility of a witness may be affected by relationship to one of the parties; by interest in the result of the trial; by want of proper age; by weakness of understanding; by infamy of character; by being under censure; by rashness, indiscretion or malignity of disposition; or by other circumstances.

3. Agency, malice, or partial counsel may exist to such an extent as to exclude a witness altogether, and in any degree will lessen the value of his testimony. In this matter a Church Court must be very particular in ascertaining how far any such alleged cause of disqualification really exists.

4. A question that is either frivolous or not pertinent to the matter under examination should not be allowed to be put to a witness; and no evidence should be received except what is matter of knowledge or cause of knowledge of the witness. What a witness has heard should never be received, except it be what he has heard said by a person deceased, or by the accused, or by one in the presence of the accused.

5. A witness may look at writings or memoranda of his own to refresh his memory, but not at those of another person.

6. Leading questions are not to be put to a witness; and no witness is bound to criminate himself.

7. The testimony of more than one witness is necessary in order to establish any charge; yet if several credible witnesses testify to different acts of a similar nature or to confirmatory circumstances belonging to the same general charge, the crime may be considered as proved.

8. No witness, afterward to be examined, except a member of the Court, shall be present during the examination of another witness in the same case, unless by consent of parties.

9. Witnesses shall first be examined by the party introducing them; then cross-examined by the opposite party; and, thereafter by any member of the Court who may wish to do so, through the Moderator.

10. The depositions of witnesses shall be reduced to writing and signed by them. The questions in full shall not be recorded, unless desired by a party as being very important.

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11. The Records of any Church Court or any part of them, whether original or transcribed, or any extract therefrom, if regularly authenticated by the Moderator and Clerk, or either of them, shall be deemed good and sufficient evidence in every other judicatory.

12. In like manner, testimony taken by one Court, and regularly certified, shall be received by every other Court, as no less valid than if it had been taken by itself.

13. Any Church Court has the power, on the application of a party, and with good cause shown, to appoint a commission to examine witnesses. The testimony shall be taken in the same manner as in Court. Notice shall be duly given of the time and place of such examination. The depositions shall be authenticated by the signatures of the Commissioners, sealed up by them and sent to the Clerk of the Court before which the cause is pending. The relevancy or competency of such testimony shall be decided by the Court.

14. If, after a trial, new testimony be discovered, supposed to be highly important to the exculpation of the accused person, it is proper for him, if the case has not been appealed, to ask, and for the Court to grant a new trial, when the new testimony shall be taken in the ordinary way. Thereafter the testimony formerly taken and the new testimony shall be read over in order, and the Court shall then proceed to judgment, as if no former judgment had been rendered; and the new judgment shall entirely supersede the former one.

15. If, in the prosecution of an appeal, new testimony is offered, which, in the opinion of the appellate Court, has an important bearing on the case, it shall be competent to the Court to refer the cause to the inferior Court for a new trial; or, with the consent of parties, to receive the testimony, and bring the case to an issue.

CHAPTER VIII.

The removal of a cause from a lower to a higher Court.

A decision of any Church Court, except the highest, is subject to the review of a superior Court, and may be removed thereto in one of the four following ways:—namely, 1. general review and control; 2. reference; 3. appeal; and 4. complaint. When a matter is so removed by appeal or complaint, the inferior Court shall be regarded as a party in so far as the disposal of the appeal or complaint is concerned, and its members shall not be entitled to deliberate and vote thereon in the higher Court. In any other case of the removal of a decision as above, the inferior Court shall not be considered a party; nor shall its members lose their right to sit, deliberate and vote in the higher Court.

Section I. General Review and Control.

1. Every Court above the Session reviews the Records of the Courts next below (being within its jurisdiction) at least once a year, and, should the lower Court omit to send up its Records, the higher shall order them to be produced immediately, or on a day named.

2. In reviewing such Records, the higher Court shall examine *first*, whether the proceedings have been constitutional and regular; *secondly*, whether they have been wise, equitable, and for the edification of the Church; and *thirdly*, whether they have been properly recorded. The superior Court shall record its decision on these matters, taking such further action as may be necessary, and ordering the lower Court accordingly. *Provided*, that a judicial sentence shall not be reversed, unless it has been brought up by appeal or complaint.

3. Inferior courts may neglect to perform their duty, or they commit great irregularities which may not be distinctly recorded, so that such evils may not be brought to notice in the revision of their Records. If the superior Court shall learn by any means that such evils exist, it shall take cognizance thereof, and shall inquire into the matter and take such action thereon as may be necessary.

4. In considering any important delinquency or grossly unconstitutional proceeding, the inferior Court shall be cited to appear at a specified time and place, to show cause for what they have done, or have failed to do; after which, usually, the matter shall be remitted to them with special instructions or orders.

Section II. References.

1. A Reference is a judicial representation made by an inferior Court to a superior, for advice or direction.

2. Cases which are new, important, difficult, or of peculiar delicacy, the decision of which may establish principles or precedents of extensive influence, on which the sentiments of the members are much divided, or on which, for any reason, it is desirable that a larger body should first decide, are proper subjects of reference.

3. A reference may be for advice, merely suspending the decision of the inferior Court until such advice has been obtained; or it may be for the declaration of a general principle, thereby relinquishing the decision to the higher Court.

4. References are to be made to the Court immediately superior, and must be accompanied with all the papers necessary for the proper consideration of the matter referred.

Section III. Appeals.

1. An Appeal is made by a party against whom a judgment has been pronounced, by which he feels himself aggrieved. No appeal is to be allowed as competent except when the judgment appealed against is alleged to be contrary to the word of God or the laws of the Church.

2. Those parties only, who have submitted to a regular trial, are entitled to an appeal.

3. The effect of an appeal is to arrest the execution of the judgment pronounced until the matter shall be reviewed by the higher Court.

4. The grounds of appeal are,—a refusal of reasonable indulgence to a party on trial; refusing to receive important testimony; undue haste in closing a case; manifest prejudice, mistake or injustice.

5. An appeal must be made when the sentence of the Court is intimated to a party, and, if reasons are then given in, they are entered on the Record. The appellant also craves extracts. If reasons are promised, they must be sent to the Clerk within ten days, and then afterwards read in the Court and kept *in retentis*. Reasons must be respectfully expressed, else the Court will refuse to receive them. The Court, if considering it necessary, answers the reasons.

6. The superior Court, after ascertaining that an appeal has been regularly made, shall have the whole of the judicial record of the inferior Court read. The parties shall then be heard, first the appellant, and then the appellee, after which the Court shall proceed to judgment. When the inferior Court is in the position of appellee, only one member thereof shall be heard.

7. The judgment of the superior Court may be to confirm or reverse, in whole or in part, the judgment of the inferior; to remit the cause

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for the purpose of amending the Record, if it appear defective, or to remit it for a new trial.

8. Appeals made against particular parts of the action of a Court in conducting a process, do not stop the advancement of the process, but all such notices of appeal and exceptions by a party to any findings of the Court shall be taken note of, and sent up to the superior Court for adjudication, as forming together a single cause with any final appeal which may be made.

9. If an appellant fail to prosecute his appeal, by neglecting to appear at the superior Court, it shall be considered as fallen from, and the sentence appealed against shall be final; unless he shall make it appear that he was prevented in the providence of God from seasonably prosecuting his appeal, when the superior Court shall then proceed in the matter, due notice being given to others interested.

10. If an appellant is found to manifest a litigious or other unchristian spirit in the prosecution of his appeal, he shall be censured by the superior Court.

Section IV. Complaints.

1. A Complaint is a representation made to a superior Court by any member or members of a minority in an inferior Court respecting a decision which, in the opinion of such member or members, has been irregularly or unjustly made. The competency and grounds of a complaint are similar to those of an appeal by a party.

2. A member of an inferior Court must dissent from the finding of the Court, and give notice of his intention to complain, when the judgment is pronounced, and the regulation anent reasons of appeal applies to reasons of complaint. He must also crave extracts, which with relative documents the Court is required to send in due time to the higher Court.

3. Any person may have access to a superior Court by Memorial which may contain a complaint against an inferior Court for proceedings in which he feels aggrieved. Such memorial must be in respectful language, and a copy must have been previously sent to the Court complained of.

4. The superior Court, in taking up a complaint, shall proceed, *mutatis mutandis*, as in an appeal.

5. Church Courts should not be impeded in the conducting of process, nor a superior one troubled by vexatious or frivolous complaints or appeals, and persons making such complaints or appeals shall be severely censured.

CHAPTER IX.

Dissents and Protests.

1. A Dissent is a declaration made by a member of a Court to record the fact that he did not agree with the decision of the majority, and which he considers unjust or irregular, in order to save himself from the consequences of such decision; or it may be made by a minority. It must be given at the time when the decision is pronounced, and it is always entered on the records. It may stand alone or be accompanied with reasons. If reasons are given in at the time that the dissent is intimated, they are entered on the Record. If not given in at that time, they must be sent to the Clerk within ten days, and are then (after having been read in Court) kept *in retentis*. Other members, who formed part of the minority, shall be allowed to adhere to a dissent.

2. A protest is a more solemn and formal declaration made by a party, a member, or a minority, bearing testimony against what is deemed a mischievous or erroneous judgment. It usually accompanies an appeal or complaint.

FORMS.

1. Citation to party accused.

To A. B. at . You are hereby required to appear before the Session of C. at a meeting to be held in on the day of &c., to answer to a charge of made against you by D. E. of F. (or by the said Session.) G. H. C. day of 18 Session Clerk.

This citation, if used, must be served personally on the party accused or left at his place of residence, not less than 48 hours before the time appointed for conference, but a verbal citation by the minister, Session Clerk or officer, is usually sufficient.

2. Libel.

To Mr. A. B. Minister at C. (or preacher of the Gospel.)

You are indicted by the Presbytery of D. at the instance of E. and F. (or at the instance of the said Presbytery [this if by *fama*]) to appear at G. on the day of &c., to answer to the following charge;—namely, that you the said A. B. did on the day of or on (give time) (here describe the offence charged) which conduct of yours was contrary to the word of God and the laws of the Presbyterian Church of Canada in connection with the Church of Scotland, and inconsistent with your position as a Minister (or preacher) of the Gospel.

Signed in name and by appointment of the Presbytery of D. at this day of Moderator and Clerk.

3. Citation of party libelled.

I certify that a true copy of the within Libel was duly served on the therein named A. B. at C. on the day of (or) was left at the dwelling house of the therein named A. B. on the day of

This citation is executed by any member of the Presbytery or by any person whom the Presbytery may appoint as their officer for the purpose.

4. Citation of witnesses.

To Mr. G. H. at C.

The Presbytery of D. having at present a process pending against Mr. A. B. &c., who is charged (name charge) you are hereby required to appear before the said Presbytery at G. on the day of &c., at o'clock to give evidence in the said cause on behalf of J. K. Presbytery Clerk.

Witnesses may be cited as above or verbally by a party, a member of Presbytery, or any other competent person appointed by the Presbytery. In either case a certificate is given in, testifying that the citation has been duly made as follows:—

5. Certificate of citation of witnesses.

I hereby certify that I duly cited Messrs. C. D. &c. at C. on the day of to appear before the Presbytery of D. at on the

day of as witnesses in the process presently pending against Mr. A. B. &c., (or) that I left the citation of the Presbytery to Mr. C. D. to appear as a witness &c., at the dwelling house of the said C. D. at C. on the day of &c.

6. *Minute of deprivation of License.*

(After detailing the steps taken in libelling, confession, or probation, and the finding of the Presbytery :—)

The Presbytery therefore did and hereby do deprive the said Mr. A. B. of his license as a preacher of the Gospel, and declare him disqualified to receive a call to the ministry.

7. *Minute of deposition.*

The Presbytery, having duly considered the libel served on Mr. A. B. Minister of C. on the day of together with the proof adduced thereon (or together with his confession of his guilt) whereby he was found to have been guilty of (relate crime proven or confessed), did by their vote depose the said A. B., like as they hereby do, in the name of the Lord Jesus Christ, the King and only Head of this Church, and by virtue of the power and authority committed by Him, to them, depose the said A. B. from the office of the Holy Ministry; prohibiting and discharging him to exercise the same, or any part thereof, in all time coming. The Presbytery further declared the Church and Congregation of C. to be vacant from this date.

8. *Form of Deposition.*

In the name of the Lord Jesus Christ the King and only Head of this Church, and by virtue of the power and authority committed by Him to it, and in the name of this Presbytery, I do now solemnly depose you, Mr. A. B. minister of C. from the office of the holy ministry, prohibiting and discharging you from exercising the same or any part thereof in all time coming.

9, 10. *Sentence of Greater Excommunication, and of Absolution.*

(Forms of the Church of Scotland, Styles Nos. 112 and 114.)

BOOK IV.

CODIFICATION OF SPECIAL ENACTMENTS OF THE SYNOD.

CHAPTER I.—POSITION AND RELATIONS OF THE CHURCH.

1. *Resolution of Convention. June 8, 1831.*

That this Convention of Ministers and Elders in connection with the Church of Scotland, representing their respective congregations, do now form themselves into a Synod to be called *the Synod of the Presbyterian Church of Canada in connection with the Church of Scotland*, leaving it to the Venerable the General Assembly to determine the particular nature of that connection, which shall subsist between this Synod and the General Assembly of the Church of Scotland.

2. *Extract from the Declaratory Enactment of the General Assembly, 1833.*

"That it is expedient and proper for ordained ministers of the Church of Scotland connected with fixed congregations in any of the British Colonies to form themselves, where circumstances permit, into Presbyteries and Synods, adhering to the standards of this Church, and maintaining her form of worship and government.

"That a Standing Committee shall be named by the General Assembly to correspond with such Churches in the Colonies for the purpose of giving advice on any question with regard to which they may choose to consult the Church of Scotland, and affording them such aid, as it may be in the power of the Committee to give in all matters affecting their rights and interests."

The Synod received the same as part of the constitution of this Church.

3. *Church Government. July 11, 1843.*

The Synod direct the Ministers of the Church to bring the subject of Church government more fully and prominently before their Congregations, from time to time, and Presbyteries are enjoined to confer occasionally as to the best way in which this subject may be introduced in the course of pastoral ministrations, and to take order that it is so introduced by each Minister.

4. *Act anent relations with other Churches. July 9, 1844.*

Whereas the peace and well-being of the Church in this Province are at the present time seriously endangered by doubts and difficulties respecting the position of this Church, the Synod resolves and declares :—

1. That the spiritual and ecclesiastical jurisdiction of this Synod, notwithstanding any interpretation which may have been, or may be put on its "connexion with the Church of Scotland," has always been, now is, and ought to be free, final and uncontrolled.

2. That the Members of this Synod feel themselves called on by the present circumstances of the Church to pledge themselves to maintain such supreme jurisdiction of the Synod over all its members and over the Church in this Colony, against all interference from any quarter whatever; and to frame an Act declaring such supreme jurisdiction—the said Act to be read over to all Ministers and Probationers, before their admission into this Synod, to the end that it may be clearly understood by them, that the maintenance of such jurisdiction is a condition of their admission.

3. That the Presbyteries under the jurisdiction of this Synod be directed to receive Ministers and Probationers from all Presbyterian Churches holding the same Standards of Doctrine and Discipline as this Church, who shall produce sufficient evidence of their character and good standing, and of their having undergone such course of Education, Literary, Scientific and Theological, as has been in ordinary cases held to be sufficient by this Church as a preparation for the office of the Holy Ministry, upon their coming under the usual vows.

4. This Synod do anew record their gratitude to God that He, in His good Providence, does not call on them to enter on the discussion or decision for themselves of the practical bearings of those principles which have so unhappily divided the Church of Scotland, in respect either to any infringement of the spiritual independence of this Church, or of the privileges of its members, or to the connection which subsists between the Church of Scotland and this Synod,—that connection neither implying a spiritual jurisdiction on the part of the former over the latter, nor involving the latter in a responsibility for any actings of the former. And this Synod do now, as always, recognize the imperious obligations laid on them of seeking the peace and well-being of the Presbyterian Church of Canada, at the expense of any sacrifice, save that of consistency and principle.

5. *Act declaring the Spiritual Independence of the Synod.*

(In Process, June 10, 1867.) Sept. 21, 1844.

CHAPTER II.—ENACTMENTS RESPECTING PRESBYTERIES.

1. *Formation of Sessions. June 9, 1831.*

Presbyteries are required to see that Sessions are regularly organized in the different Congregations, and that they keep proper Records of their proceedings.

2. *Mission Committee. Sept. 22, 1835.*

Each Presbytery shall form a Mission Committee for its own bounds; have its own Treasurer; and use its utmost efforts to obtain funds and to support Missionaries.

3. *Information of Presbyteries on Synod business. Sept. 16, 1836.*

For the information of Presbyteries with respect to the business assigned them by the Synod, and also to enable the Committees appointed to examine the Records of Presbyteries, to ascertain whether

Presbyteries have complied with the injunctions of Synod,—the Synod ordain that the Minutes be fully printed with an index annexed, in which the names of the several Presbyteries and Committees be entered with reference to the pages in which the duties enjoined them are recorded; and that copies of the printed Minutes be forwarded to members of Synod by the Clerk, with the least possible delay.

4. Presbyteries to learn the state of Congregations. July 17, 1849.

The Synod enjoin Presbyteries, prudently and affectionately, to make themselves acquainted with the condition of the various congregations within their bounds, and see that they be so organized that the public business of the Church be attended to regularly and advantageously.

5. Presbyterial visitations. July 9, 1842.

The Synod enjoin the Presbyteries of this Church severally,—to appoint annually, at their first Ordinary Meeting after the Ordinary Annual Session of the Synod, one or two of their members as Visitors for their respective bounds,—whose duty it shall be to visit every congregation under the care of the Presbytery by whom they are respectively appointed, due notice having been given by the Visitor, or Visitors, of the time when such visitation is to be held in each congregation; to address congregations on the relative duties of pastor and people; to meet with the Sessions,—deacons, trustees or managers; to inspect their records, to enquire generally as to the discharge of duties by the office-bearers and members of the congregations, and in particular to ascertain the state of Sabbath Schools and classes for the spiritual training of the young, and other modes of pastoral agency—and the amount of annual contributions for Home and Foreign Missions; to obtain answers on the various points embodied in the Statistical Schedule; to direct attention and obtain information in regard to all matters respecting which special duties have been devolved on Sessions and Congregations by the Synod or Presbytery, to give counsel as the Visitor or Visitors shall see cause in any matter affecting the interests of congregations that may be referred to them, and, in conjunction with the Minister, to prepare a Report on the state of religion in each congregation, to be laid before the Presbytery of the bounds for their deliverance thereon at the meeting thereof next preceding the Annual Session of Synod, such Report, including all particulars above specified, together with said deliverance, to be transmitted to the Synod, along with the Records of the Presbytery.

6. Fellowship Meetings. Sept. 24, 1844.

The Synod recommend Presbyteries as far as possible to institute prayer and fellowship meetings for the purpose of mutual edification, and the attaining of a higher order of piety and aptness for the discharge of weighty and difficult parts of pastoral duty; and at ordinary meetings to spend as much time as circumstances permit in exercises of a devotional kind.

7. Alterations to be intimated. July 14, 1846.

The Synod enjoin the Clerks of Presbyteries, immediately on any alteration taking place in the Rolls of their respective Presbyteries, whether in the case of admission, translation, demission, or death, to intimate the same, with the date thereof, to the Clerk of Synod, with-

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out delay. The Synod enjoin strictly on all Presbytery Clerks to notify the Secretary of the Temporalities' Board of every induction or decess of a Minister within the bounds of their Presbyteries, as soon as they have ascertained the fact in either case.

8. *Presbytery meetings during Synod. May 26, 1858.*

Any Presbytery may meet and transact any competent business at any time during the Session of Synod when the Court is not sitting; but the intimation of meeting must be in writing, signed by the Moderator, or, in his absence, any two members of the Presbytery of which a meeting is requested, and must be read by the Moderator of Synod from the chair.

CHAPTER III.—ENACTMENTS RESPECTING WORSHIP AND ORDINANCES.

1. *Missionaries to dispense ordinances. July 6, 1839.*

The Synod consider it expedient that Missionaries of this Church should be invested with the power of dispensing the Sacraments of the Church, and Presbyteries are authorized and instructed to ordain Missionaries over defined districts of country, as they shall see meet.

2. *Public Baptism, July 9, 1842.*

The Synod enjoin Presbyteries to see that the laws of the Church in regard to the public administration of the Sacrament of Baptism be duly observed throughout their respective bounds.

3. *Ministers without pastoral charge, Sept. 21, 1844.*

No Minister of this Church, not having a pastoral charge, shall administer Baptism or dispense the Lord's Supper, within the bounds of any Presbytery, without having previously obtained the sanction of such Presbytery; or within the bounds allotted to any settled Minister, without the consent of such Minister.

4. *Public worship by Elders. July 9, 1852.*

The Synod recommend to the Elders of such Congregations as are destitute of fixed pastors to assemble the people for the worship of God on the Lord's day; to lead them in their devotional exercises, and to read to them the Scriptures and such discourses as may be recommended by the Presbytery.

CHAPTER IV.—SCHEMES OF THE CHURCH; MISSIONARY AND BENEVOLENT EFFORTS, &c.

SECTION FIRST.—TEMPORALITIES' FUND AND HOME MISSION.

1. *Congregational Associations. June 11, 1867.*

The Synod recommend the adoption of systematic measures in each Congregation, especially the formation of Associations and the appointment of collectors, having for their object the obtaining of an annual, quarterly or monthly subscription from every member and adherent, in support of the various Missionary and Benevolent Schemes in which the Church is engaged.

2. Home Mission Organisation. July 12, 1842.

Presbyteries shall arrange the Missionary ground within their respective bounds into missionary stations and districts, and establish Home Missionary Associations in each of the organized Congregations under their care.

Each Presbytery is recommended to institute a Presbytery Mission Fund for supplementing the salaries of Missionaries.

3. Temporalities' Board. May 31, 1856.

The Synod agreed that the interest of the Commutation Funds, and of all such funds as may come into their hands, shall, by them, (the managers) be applied in the following manner :

1st. For the payment of £112 10s. per annum to the ministers who commuted.

2nd. For the payment of £100 a year to the eleven ministers who were on the Synod's Roll, at the time of the secularization of the Clergy Reserves, but who were not permitted to commute ; and

3rd. For the payment to all ministers, not so provided for, of £100 a year, if the funds in their hands admit of it ;—it being understood that such annual subscriptions as may be received for the sustentation of the Church are to be applied to this last mentioned purpose ; further, that, if the sum that can be disposed of for this purpose should at any time be insufficient to give £100 a year, the whole sum be divided among the claimants, but the division shall not be continued after the allowance to each minister has fallen to £50.

The Synod further agreed and declared that the guaranteed salary of £112 10s. shall, upon the death of any one of the recipients, revert to the general fund : that any of the ministers holding the guaranteed sum of £112 10s., released from their respective charges from age and infirmity, with the consent of their Presbyteries, sanctioned by the Synod, shall enjoy their salaries for life : and that those who have already retired on a stipulated sum shall continue to enjoy the sum allotted to them.

Resolutions adopted by the Synod, 1859.

1. That, in view of the pressing necessities of the Board for the present year, the Synod approve of the action of the Commission which met in February, enjoining congregational collections throughout the Church in aid of the fund for the support of Ministers, and require all congregations which have not yet collected to do so as speedily as possible; it being understood, however, that if congregations have taken another method of aiding the fund, as by subscription, such shall be taken in lieu of collections.

2. That, in consequence of the rapid increase of Ministers holding charges, the long contemplated effort for the increase of the fund cannot be longer delayed without injury to the best interests of the church, and that the Synod do therefore resolve to commence operations in the month of September next, by which time it is hoped, under the blessing of a kind Providence, the agricultural and commercial prosperity of the Province may be such as to give reasonable ground for the hope of success.

3. That, for more prompt and effectual action in this matter, the Temporalities' Board, or such of the members of the said Board as reside within the city of Montreal, be authorized to arrange deputations to the various congregations of the Church, if possible in all cases, both of

Ministers and influential laymen, and to call on Ministers not employed in such deputations to supply the pulpits of those who are.

4. That, in carrying out this resolution, the deputations have respect to four objects, (1) the increase of the funds invested by donations given at once, or of which the payment is extended over a course of years; (2) the formation of Church Societies, the members of which shall annually contribute to the fund, such contributions to be available for distribution annually by the Temporalities' Board; (3) donations to be at the disposal of the Board either for investment at interest or distribution; (4) Legacies in aid of any branch of the fund.

5. That the Synod approve and confirm the three following by-laws which have been adopted by the Board:—

That the Chairman and Secretary-Treasurer be authorized to draw cheques against the Bank account of the Board for the payment of Ministers and other expenses of the Board.

That the Chairman of the Board be authorized to receive and grant discharges for all dividends and interest accruing to the Board.

That an Executive Committee be named in terms of the Act, and that it shall consist of Thomas Paton, Esq., the Rev. Dr. Mathieson, and Hugh Allan, Esq., who alone shall have power to receive, accept and execute transfers of stocks or Debentures, and every transfer or acceptance must be signed by all the members of this Committee.

Condition of payment of \$200. June 6, 1863.

It shall be a condition of the payment of each allowance of \$200 to unprivileged ministers that \$50 be obtained for the fund by the authority of the recipient; the congregations being looked to for such sum. The congregations of privileged ministers are recommended to give an equal sum, and those which are large and wealthy, a large and liberal contribution.

Status of Missionaries and Licentiates. June 5, 1868.

The Synod placed Ordained Missionaries and Licentiates, actually employed in the service of the Church under the supervision of Presbyteries, upon the same footing—in relation to the Temporalities' Fund—as settled Ministers, in order both that the Synod may be able to meet the views of the Colonial Committee of the Church of Scotland, in their recent regulations, and that the motives for undue haste in the settlement of Licentiates may be removed.

SECTION SECOND.—MINISTERS' WIDOWS' AND ORPHANS' FUND.

1. Resolutions of Synod. July 13, 1846.

1. That it is expedient to establish a Ministers' Widows' Fund.

2. That to the success and stability of such an institution an Act of the Provincial Parliament is necessary, rendering compulsory the payment of the rate fixed on Ministers receiving Government allowance,—incorporating the Managers,—and enabling them to hold property to the amount of at least £1000 a-year.

3. That any such Act should fix the rate chargeable on Ministers at £3 per annum.

4. That the Managers should be one-third Ministers and two thirds Laymen—appointed by the Synod—twelve in number—and one Minister and two laymen to retire annually, but to be eligible for re-election.

5. That the Managers shall have full power to fix the scale of annuities payable to Widows, and to conduct the whole business of the Institution.

2. *Acts of Synod, Sept. 13, 1847.*

Whereas, to the working of the Act incorporating the Managers of the Ministers' Widows' and Orphans' Fund, it is required that monies be raised, it is hereby enacted that each Minister shall pay annually the sum of Three Pounds, for the securing of the payment of which each Presbytery shall cause Bonds for said payment to be signed in duplicate by each Minister within the bounds, authorizing the Synod's Clergy Reserve Commissioners to retain in their hands said annual payment of Three Pounds, in half-yearly instalments, out of the payments rendered him by said Commissioners, one copy of which Bond shall be forwarded to the Board of Commissioners, and the Duplicate kept by the Clerk of the Presbytery. The Bond to be as follows :—

(Substitute form in use).

And further, Presbyteries are enjoined not to ordain or induct any Probationer or Minister into a Pastoral charge, without his first having signed the above Bond in the presence of the Presbytery, and which Bond shall be attested by the Moderator and Clerk.

And further, each Minister is enjoined to have a yearly collection on the first Sabbath of January in behalf of said Fund, and to use all diligence to obtain donations or subscriptions from his people, to be paid to the Treasurer of the Fund :—and Presbyteries are enjoined to see that Ministers show all diligence in this matter, and send yearly returns to the Synod.

Minute enjoined to be read previous to the annual collection.

In the actual condition of the Church in Canada, little more can be expected even from the more prosperous and wealthy Congregations, than a bare support for the Minister and his family, without any power on his part of making any provision for them, if, in the Providence of God, his wife should be left a widow, and his children fatherless. To meet such cases, which must be expected to occur among the ministry with the average frequency, it is held and declared to be a duty incumbent on the people among whom a Minister labours, receiving nothing more from them than an immediate temporal support, to co-operate with the design of this Board for providing some relief for the bereaved families of such Pastors as have consecrated their whole time and talents to the spiritual edification of the people committed to their charge. This duty of Congregations may be deemed the more incumbent, inasmuch as the Synod have enacted that every Minister shall contribute out of his public allowance the sum of Three Pounds annually, diminishing by that amount his very limited income. The Synod would, therefore, exhort Congregations also to come forward freely to present their liberal contributions for the same object, not only as a token of regard for their own Pastor, but as an expression of their gratitude to their Divine Lord, who has ordained that they who serve at the altar should live of the things of the altar. Christians have always been wont to honour those who have in any way endured self-denying labours for the sake of Christianity ; and it is worthy of a Christian Church to do this by making the Fund for the relief of the Widows and Orphans of their Ministers the monument of their gratitude and dutiful remembrance.

While this claim on the liberality of the people is held to rest on the clearest principles of Christian obligation, it is deemed to be of peculiar force in this country where so much difficulty is experienced in ob-

taining a suitable supply of Ministers for the Church, on account of the inadequacy of the temporal support that is attainable. This evil, which in present circumstances it may be impossible materially to alleviate, would in some degree be counteracted, if Ministers had any sure prospect that the Church would manifest a benevolent concern for their families after their decease.

The Synod, therefore, with these principles declared, and with the statements contained in the Report before them, indicating the want of a proper sense of duty in this particular on the part of many of the Congregations, enjoin upon Presbyteries to take order that all Ministers and Sessions do use diligence that every Congregation may be brought to contribute a sum at least equal to that contributed by their Minister; and also, that all vacant Congregations within their bounds have an opportunity afforded them of devising liberal things in this matter.

The Synod enjoin all ministers (July 7, 1851,) and congregations to be punctual in making the collection at the proper time, and remitting the same immediately to the Treasurer. And Presbyteries are directed to see that in appointments of supply of sermon to vacant congregations, arrangements be made for taking up collections in aid of the Fund. Ministers are to urge its (July 8, 1852,) special claims on the liberality of their people.

The Synod resolved:—(June 4, 1856.)

1. That Presbyteries be enjoined to send, with all convenient speed, to the Board of Managers of the Ministers' Widows' and Orphans' Fund, a statement of the date of the ordination or induction of all Ministers now on the Roll of the Synod.

2. That Presbyteries report to the Managers of the Widows' Fund the date of every ordination or induction of Ministers that may hereafter be admitted, within one month thereafter.

3. That the Rule now in force respecting the taking up of collections for said Fund, on the first Sabbath of January each year, be strictly observed, as far as practicable: and, provided there be good cause, from inclemency of weather, or otherwise, for deferring it on the first Sabbath, then it shall be taken up on the earliest day afterwards that is convenient.

4. That all collections be remitted to the Treasurer before the first day of April each year, in order that the accounts for the year be made up, and a fair statement of the condition and operations of the Trust be given to the Synod at their Annual Meeting.

5. That the Rule now in force, (see Printed Minutes, 1851, page 20, near foot,) respecting Presbyteries taking care that collections be taken up in vacant Congregations, shall be observed strictly.

6. That united Congregations shall be considered as one, and their collections conjoined, so long as they are under the pastoral charge of one Minister.

7. That the Synod pledge themselves to carry into faithful operation, in so far as may be in their power, the By-Laws of the Board of Managers, now in operation, in respect to every Minister or Congregation, who contribute to the Fund under the existence of these By-Laws, which, in respect to all such, are declared to be unalterable without the full consent of all parties,—and the Synod do hereby homologate and confirm the same.

The Synod enjoin Presbyteries to see (June 1, 1857,) that Ministers make a return to the Board of the number of families in their several congregations:—to make diligent inquiry whether congregations have made their collections, and to deal with defaulters as may seem meet:

—immediately after an ordination or induction to send an Extract of the same to the Secretary of the Board of Management.

The Synod direct the Board, (June 1, 1857,) in the case of the demise of Widows to pay their annuities up to the termination of the current half-year in which the demise may take place.

3. *Graduated scale of annuities.*

The Synod approve of the scale of distribution embodied in the Report: (as follows:)

"4th—That the annuity to be paid to Widows shall be at the rate of £12 10s. from the Fund consisting of Ministers' contributions, and according to the following scale from the Fund consisting of Congregational Collections.

Where the average annual amount collected is under three pounds, the Managers may, in their discretion, allow an annuity not exceeding fifteen pounds.

Where the average is £3, and does not amount to £6, the annuity shall be £20.

Where	£6	and under	£9	to	£25
Where	9	and under	12	to	30
Where	12	and under	15	to	35
Where	15	and under	18	to	40
Where	18	and under	21	to	45
Where	21	and under	24	to	50
Where	24	and under	27	to	55
Where	27	and under	30	to	60

And no annuity shall exceed the last mentioned sum, namely, £60.

5th—That in the event of a child or children coming on the Fund in consequence of the death of both parents, the same annuity as in the case of a widow should be payable to him, her or them, until the youngest daughter shall attain the age of 21 years, or the youngest boy shall attain the age of 18 years, unless he is studying with a view to the ministry in the Church of Scotland or in this Synod, when it shall continue to be paid until he attains the age of 21 years. When the youngest daughter shall have attained the age of 21 years, and it appears to the Managers that the family is in destitute circumstances, they may where there is more than one daughter allow an annuity not exceeding one half what would be paid to a widow, and, where there is only one daughter, an annuity not exceeding one third of what would be paid to a widow. Whenever any daughter is married her interest in the Fund shall cease. In the case of boys who, from mental or physical incapacity, are unable to support themselves, the Managers may allow an annuity for a longer term than attaining the age of 18, such annuity in no case to exceed half of what would be allowed to a widow."

The Synod approve of an intermediate (June 11, 1867,) grade in the scale of collections between twelve dollars and sixty dollars and annuities between eighty dollars and one hundred and sixty dollars, as also of the equity and propriety of increasing annuities to widows having children under age.

SECTION THIRD—FRENCH MISSION.

The Synod enjoin all ministers (July 8, 1845,) and Sessions to bring the claims of this important Mission more fully and urgently before their congregations, and procure as liberal collections and subscriptions as possible.

The Synod appointed a Standing Committee (June 1, 1858,) on the French Mission, authorizing them to take such steps in its revival, maintenance and prosecution, as may be necessary, reporting their action to the Synod from time to time; and the Synod recommend the Mission to the continued countenance and active co-operation and sympathy of the congregations of the Church.

SECTION FOURTH—SCHOLARSHIP AND BURSARY SCHEME.

Presbyteries are enjoined to take such steps as to (July 12, 1842,) them may seem meet for the establishment of Bursaries at Queen's College for deserving students for the ministry.

The Synod appointed a committee on (May 31, 1859,) the Bursary Scheme to watch over the same and report.

The Synod having appointed the first (May 31, 1860,) Sabbath of March as a day of special prayer for Queen's College, and for bringing the claims of the College under the notice of their congregations, do earnestly recommend that on that, or other convenient day, a collection be taken up in aid of the Bursary Fund.

The Synod adopt the recommendation (June 6, 1866), that the Fund shall be mainly employed in Scholarships, to be awarded according to the result of competitive University examinations.

It shall be henceforth designated the "Scholarship and Bursary Scheme."

SECTION FIFTH—JEWISH AND FOREIGN MISSION.

The Synod recommend to all Sessions (July 7, 1840), to appoint meetings at stated periods for bringing the subject of Missions before Congregations, and for united prayer in behalf thereof; and at such meetings, or otherwise, to make collections in aid of the Missions of the Church of Scotland, or such other object as may be approved of by the Sessions.

The Synod renew their previous (June 3, 1856), frequent declarations of interest in the Mission work, and of the duty of this Church to take part therein, and appoint a Committee to be called the "Jewish and Foreign Mission Committee of the Synod," to consider maturely the whole matter, and to report.

The Synod directed that funds (June 6, 1866), which may be contributed expressly for British Columbia, be transmitted to the Colonial Committee of the Church of Scotland, in aid of their Mission to that Province; and that funds contributed for Foreign Missions be transmitted to the India Mission Committee of the Church of Scotland, to be by them applied towards paying the salary of the Rev. Charles J. Cameron, Missionary at Madras.

The Synod recommend all Congregations to contribute to the support of the India Mission of the Church of Scotland, by collections, contributions from Missionary Associations, or otherwise.

SECTION SIXTH—SABBATH SCHOOLS.

The Synod, earnestly desiring the (June 2, 1857), efficiency of Sabbath Schools, direct the attention of Sessions and Presbyteries to the matter, appoint a Committee to be designated *The Synod's Committee on Sabbath Schools*,—who shall exercise a general superintendence, and shall have power to take such action of a local or general kind, as to them may seem judicious—instruct Kirk-sessions to forward annually

to the Convener of said Committee before the first day of May, a statement of the number of teachers male and female, scholars male and female, and the number of each on the roll, the average attendance, and the increase or diminution during the year, the number and kind of books in the Sabbath School library, and all other matters of interest affecting the welfare of the local school or the general institution; instruct the Committee to prepare a report and digest of said statements, to be laid before the Synod.

The Synod warmly recommend (June 8, 1861) this vital and important object to the affectionate regard of all our people; and require Sessions to see to the constant direct teaching of Scripture and the Shorter Catechism in their Sabbath Schools.

The Synod recommend the Committee (June 12, 1865), to publish a Scheme of Lessons.

SECTION SEVENTH—SEEKING OUT AND TRAINING YOUNG MEN FOR THE MINISTRY.

The Synod recognize the special duty (July 2, 1841), of the members of this Church to be earnest in prayer for the Divine blessing on the Missions of the Church, and the means employed for raising up well qualified men for the work of the Ministry.

The Synod resolve anew that we are specially called of God to use our utmost exertions to raise up a supply for the Ministry among us from the youth of this land,—instruct Ministers to make continued supplication unto God, as well in their private as in their public prayers, that He may be pleased to send forth more labourers into the harvest, and also enjoin them frequently to admonish parents to consider what may be the call of God upon them in reference to the consecration of their children unto Him in whatever department of service they may be qualified;—and, further, enjoin upon all Presbyteries and Sessions to make careful and diligent enquiry, in the several Congregations within their respective bounds, to ascertain whether any young men may be found in them whose attention should be specially called to the claims of Christ upon them, in regard to the Ministry of this Church—and to aid and encourage by all the means in their power such suitable young men as may declare their purpose to consecrate themselves to this sacred vocation.

The Synod recommend both to Presbyteries and individual Ministers (July 4, 1851), to look out for youths of promising abilities and of piety to be brought under the education and training necessary to their entering College,—and, further, recommend to Presbyteries to use all diligence in watching over the youths now studying Theology,—and also recommend to Ministers to aid such youths in their studies privately, and, on their removing to College, to commend them specially to the pastoral superintendence of the Minister resident at the seat of the University. The Synod, further, enjoin all their Students of Divinity to appear before the Presbyteries, within whose bounds they reside, at least once during the Summer recess, for the purpose of being examined, and, on their re-entering the Divinity Hall, to produce a certificate from their Presbyteries that they have done so.

The Synod resolved,—

3. That all the Ministers of this Church be earnestly recommended (May 31, 1860), to preach on the second Sabbath of February in each year, or the first convenient Sabbath thereafter, on the call to the Gospel Ministry, setting forth the wants of the Church and the existing destitution of our land, and, at the same time, to hold up for consider-

ation such things as will recommend the Gospel Ministry as a calling, in order that parents and youth may give its claims respectful hearing; and the Synod further appoint the said Sabbath as a day of special prayer for the outpouring of the Holy Spirit on the rising generation, and upon the officers and students of Queen's College.

4. That this Synod earnestly and affectionately recommend parents to lend their children to the Lord, and to dedicate such as, in their judgment, possess the requisite qualifications to the office of the Holy Ministry.

5. That the Synod earnestly urge Presbyteries to guard, with a becoming caution and a firm vigilance, the door to the holy office of the Ministry, so as not to admit to that sacred calling men wanting in mental or moral qualifications for its high and holy functions.

SECTION EIGHTH—JUVENILE MISSION.

The Synod, having read a letter (May 31, 1856) from Mr. Paton, respecting the support and education of Hindoo Orphans, approve of the same, commend the effort to the sympathies of our Congregations, and appoint Mr. Paton Treasurer for the fund;—renew (June 1, 1858) their cordial approval of the scheme, (May 31, 1859) recommend it to the cordial support of the Church and Sabbath Schools (June 8, 1853) and rejoice in the extended interest in Mission work manifested by the children. (May 28, 1862).

The Synod resolve to merge this and (June 9, 1868,) the Sabbath School Scheme into one Scheme, to be called the "Juvenile Mission and Sabbath School Scheme," and appoint a Committee for its management.

CHAPTER V—COLLEGES.

SECTION FIRST—QUEEN'S COLLEGE.

1. *Formula for the Literary Professors and Trustees of Queen's College.* (July 4, 1840.)

I do sincerely own and declare the Confession of Faith, agreed upon by the Assembly of Divines at Westminster to be the Confession of my faith; and that I own the doctrine therein contained to be the true doctrine, which I will constantly adhere to: as likewise, that I own and acknowledge Presbyterian Church Government of this Church, by Kirk Sessions, Presbyteries, Provincial Synods, and General Assemblies, to be the only government of this Church, and that I will submit thereto, concur therewith, and never endeavour, directly or indirectly, the prejudice or subversion thereof.

2. *Statutes of Queen's University.* (June 9, 1863.)

Numbers 18, 19, 55, and 109 of the Statutes of Queen's University were read and approved of, and the Moderator and Clerk were instructed to attach their signatures to them.

3. *Change in Curriculum.* (June 10, 1864.)

The Synod approve of the change made in the Curriculum in Arts by adding a fourth Session, and, as regards Students for the Ministry in this Church, require them to conform to the amended Curriculum, subject to the payment of fees in the Arts classes, agreeable to the principle stated in the Report.

4. *Claims on Church.* (June 6, 1867.)

The Synod recognise anew the claims of the College upon the prayerful encouragement and pecuniary support of the friends of the Church, by reason of the highly important services which it continues to render.

SECTION SECOND—MORRIN COLLEGE.

The Synod agreed to accept the authority (May 30, 1861,) to appoint Governors of the College, as provided in the Act of Incorporation.

The Synod decreed that, so soon as Morrin College shall possess the following staff of Professors, namely, a Professor of Classics, a Professor of Mathematics and Natural Philosophy, and a Professor of Logic, Metaphysics and Moral Philosophy, the certificates of such Professors shall be accepted as qualifying for admission to the study of Divinity, in the same way as certificates from the Professors of Queen's College; and if, in addition to the Professor of Divinity appointed by the Deed of Dr. Morrin, there be also a Professor of Hebrew and Church History, their certificates of attendance shall in like manner be accepted, as qualifying students to come before the Synod and Presbyteries of the Church as candidates for license; the time of attendance on said College and the course of study to be in accordance with the laws of the Church, provided always that Theological Professors must be ministers or probationers of the Church.

CHAPTER VI—SYNOD FUND AND FINANCE.

1. *Assessment.*

The Synod fixed a rate of assessment (May 27, 1859), making it compulsory on each Session to contribute the amount apportioned to it in the Schedule, and leaving it optional to supplement this by such further sum as it may find itself able and disposed to give.

In all cases, the contribution from a Congregation (July 19, 1853) with a settled Minister shall not be less than four dollars.

2. *Duty of Presbyteries.*

It shall be the duty of Presbytery Clerks (June 6, 1854), to receive from the Ministers, Sessions and Congregations within their bounds, the annual contributions to the Synod fund, and to pay over the same to the Treasurer.

The Synod enjoin Presbyteries to enquire at the first (June 6, 1864) meeting of each, after the rising of the Synod, and at the last regular meeting before the meeting of the Synod, how the duty of Congregations to this Fund has been discharged; and, where it appears that this duty has not been discharged, to take such steps as may be necessary for supplying the deficiency as soon as possible.

3. *Fees and Charges.*

The Synod adopted the following tariff of fees (June 1, 1861), the proceeds thereof to go into the Treasurer of the Synod Fund, viz.:—

Each person Recording a dissent simpliciter from any proceedings of the Synod	\$0 25
For reasons, that may be extended on the minutes in support of such dissent, \$0 20 for the first and for each subsequent one	0 10
For extracts of minutes granted to individuals, for every 100 words	0 12½

The Synod adopted the following (June 6, 1864) scale of charges for copies of Minutes of Synod :—

Whole set, 1830 to 1865, postage paid,.....	\$5 00
Reprint of first six years	1 00
Single copy of Minutes for one year.....	0 15

CHAPTER VII—CHURCH PROPERTY.

The Synod enjoin Presbyteries, without (July 12, 1852) delay, to take such steps as may be considered necessary for securing the public property of the Church within their bounds.

The Synod appoint a Committee to enquire into the (May 31, 1855,) condition of the public property of the Church, to correspond with Presbyteries, with legal agents and others, and to take such action as may be expedient for the preservation of that part which may be in jeopardy, or recovering such as may be illegally in possession of others :—constitute (May 30, 1857,) the same a Standing Committee; enjoin Ministers who have not yet made returns of Church property, with which they are connected, to do so without delay.

The Synod appointed the Committee (June 6, 1864,) to prepare a draft Act of Incorporation for this Church.

Soliciting aid for building Churches.

The Synod instruct Presbyteries not (July 14, 1846,) to authorize Congregations to solicit aid in the erection of Churches till satisfactory deeds or legal bonds for satisfactory deeds of the sites shall have been obtained and laid on their tables; and generally to take care that property acquired by congregations be properly secured.

Act anent soliciting contributions for Church purposes. (June 9, 1863.)

Whereas, the soliciting of contributions from the public for ecclesiastical purposes by unauthorized individuals is a practice which is liable to abuse, and it is proper to subject the said practice, so far as this Church is concerned, to suitable regulations, it is hereby enacted :—

I. That no minister or member of any congregation under the jurisdiction of this Synod shall collect contributions, beyond the bounds of his congregation, for local ecclesiastical purposes, until he has first obtained from his Presbytery permission to that effect, and an attested subscription list to be used in collecting.

II. That it shall also be necessary to have the sanction of the Presbytery, within whose bounds it is intended to apply for contributions; and individuals proceeding to collect are required to follow the directions which such Presbytery may give as to time and mode of collecting.

III. That accounts of all moneys so collected, together with statements of their application, shall be laid before the Presbytery to which the collector belongs, for the purpose of being audited.

IV. It shall be the duty of the Committee of Synod on Presbytery Records to enquire what evidence is furnished, by said Records of the attention paid by Presbyteries to the requirements of this Act.

CHAPTER VIII—GRANTS FROM THE COLONIAL COMMITTEE.

1. The Synod ordained that grants (July 13, 1846) from the Colonial Committee may be applied to the building of Churches and the acquiring of fixed property, with the concurrence of the donors ;—that all correspondence with the Colonial Committee in regard to such

grants shall be carried on solely by the Synod or their Commission ;—that all applications from Congregations for any such grants, previously to their being transmitted to the Synod or their Commission for approval, shall have the sanction and recommendation of the Presbytery of the bounds.

2. (Act of June 12, 1867).

CHAPTER IX—MANAGEMENT OF SCHEMES AND AGENT. (June 9, 1865).

1. The Synod respectfully request the following gentlemen, Thomas Paton, John Greenshields, William Darling, Jas. Johnston, Alexander Buntin, John Rankin, James S. Hunter, and John L. Morris, Esquires, to be a Committee, under the appointment of the Synod, to devise and to carry into execution such measures as to them may seem expedient for aiding and advancing the Schemes of the Church, and more particularly the Home Mission Fund in both its branches,—with authority to appoint an Agent, and to direct him in the discharge of his duties. And the Synod do hereby recommend Mr. James Croil, an elder of the Church, to be appointed Agent, if he is willing to undertake the office ; and enjoin all Ministers, Sessions, and Presbyteries of the Church to co-operate with and encourage whatever Agent may be appointed in the discharge of his arduous duties. And the Synod, having full confidence in the zeal and judgment of said Committee, do only recommend further, that they confer with the Temporalities' Board, with the view of having the offices of Agent and Secretary of the Board combined—with a view also of ascertaining the sum necessary to enable the Temporalities' Board to give to every Minister the regular allowance for the current year, which, together with the sum necessary to complete the original grant to Queen's College, it is the desire of the Synod that the members of the Committee should regard as the first object to be attained by the exertions of the Agent. The Synod do also wish that the Committee should add to their numbers any member of the Church, whose co-operation they desire to obtain ; and that John Greenshields, Esq., be the Convener of the Committee.

The Synod approve of the mode suggested (June 6, 1866), for meeting the salary of the Agent, namely : that the salary and expenses of the Agent should form a charge upon the revenue of the several schemes in proportion to the amount of congregational collections received during the year by each scheme, and instruct the Treasurers of the various schemes to honour the requisitions made upon them for this purpose by the Committee.

The Synod enjoin Presbyteries to take (June 11, 1867) such steps as may seem to them best calculated to secure the regular payment of the salaries of all the Ministers within the bounds ; recommend Congregations to adopt the Calendar year in their financial accounts ; urge them to prepare and print annual reports ; and sanction the introduction of printed schedules and visitation from house to house, in making collections for the several Schemes.

2. *Act for Collections.*

(Standing Act. See minutes 1867 or 1868.)

CHAPTER X—MISCELLANEOUS ENACTMENTS.

1. *Law Agents in Church Courts.*

The Synod ordained that no Law (July 7, 1843,) Agents shall be allowed to act as such in any of the Courts of this Church.

2. *Reports to be ready.*

The Synod strictly enjoin the Conveners (June 6, 1865,) of Synodical Committees, Chairmen of Boards of Trustees and Managers, Clerks of Presbyteries and others in charge of the business of the Church, to be prepared to submit to the Synod all Reports, Returns, Statements, References, Overtures, Appeals, &c., on the first day of the meeting of Synod.

Note. Some papers are required by special enactments to be furnished to the Synod Clerk before the meeting of Synod, and some Reports are appointed to be given in on fixed days of the Session.

3. *Control of Church and use.* (June 1, 1855.)

Whereas the acknowledged use of a Church is for the public worship of God, and the Minister, with the Session, is responsible to his Presbytery and to the Synod, for the use that is made of the church edifice, therefore it is the prerogative of the Minister and the Kirk Session to hold the key of the place of worship, and exercise their own discretion, under the Superior Church Courts, as to the uses to which it shall be applied."

4. *Catechists.* (May 31, 1860.)

The Synod enjoin Presbyteries to use diligence and exercise great caution in their selection of Catechists, and take order that none be engaged without their sanction; that the Synod require Catechists, before entering upon their work, to appear before the Presbytery or Committee of Presbytery, charged with the supervision thereof, that they may be examined as to their gifts and ability to expound the Holy Scriptures; that Catechists be required to write out beforehand whatever expositions or exhortations they may offer to the people (whether to be read or repeated *memoriter*), and to hold themselves in readiness to submit all such written expositions or exhortations to the Presbytery or Committee of Presbytery, and to read any one of them that may be named or called for; and further that along with their own expositions they read a printed sermon from some volume sanctioned by the Presbytery, in the services of public worship which they conduct among the people.

5. *Maintenance of Ministers.* (May 30, 1861.)

The Synod declared, that, in every case where the settlement of a Minister is about to take place, it is absolutely necessary that the minimum stipend exclusive of any allowance from the Temporalities Board, be not less than four hundred dollars; that Presbyteries be enjoined to do all in their power to see that the congregations within their respective bounds implement all pecuniary promises made by them to Ministers; and that the Synod retain all discretionary power in its own hands.

6. *Retired Ministers.*

(In Act anent Temporalities Board, May 31, 1856.)

Every case in which a Minister not provided (May 29, 1858,) for by deliverance of Synod 1856 craves to retire from the active discharge of his duties as a Minister on the ground of bad health, or any other cause, on condition of receiving his allowance from the 'Temporalities' Fund,

in whole or in part, shall be reported to the Synod with the opinion of the Presbytery thereanent; and the Synod only shall decide thereon.

Retired Ministers are (June 4, 1863,) required to report themselves to their Presbyteries, either personally or by letter (in the discretion of the Presbytery), semi-annually in sufficient time to admit of their names being returned to the Synod and Temporalities' Board.

7. *Forms of worship.*

The Synod cordially recommend the (May 27, 1859,) Book "Forms of Worship," by a Committee of the General Assembly of the Church of Scotland, for use by families and vacant congregations of the Church in Canada.

8. *Intemperance.*

Whereas the prevalence of intemperance (July 8, 1839,) is productive of the most ruinous consequences to the best interests of society, greatly tending to the increase of crime, and to the frequent destruction of life and property, proving moreover, a powerful hindrance to the successful preaching of the gospel, by hardening the minds of many against its heavenly truths, and leading them away from the house of God;—the Synod enjoin all the Ministers under their jurisdiction to preach on the subject, and to use such other means as they may judge necessary, to check the progress of intemperance.

Inasmuch as the extensive prevalence of intemperance (July 6, 1841) and the numerous evils connected with it are continually creating serious difficulties in administering faithful discipline in the Church, and present a great obstacle to the progress of truth and piety among such as have little more than a nominal connexion with it, the Synod is called upon to bear its solemn testimony against a sin which so greatly dishonours the Christian name, and involves so many souls in spiritual degradation and eternal ruin, and to enjoin, as they hereby do, all Ministers of this Church faithfully and frequently to warn the people under their charge of the dangers to which they are exposed from this iniquity; and to exhort them to manifest such self-denial in regard to the use of intoxicating liquors, as may not only be a safeguard to themselves, but a salutary example to the world; and further recommend to all Presbyteries and Sessions so to bear their distinct and united testimony against this sin, that intoxicating liquors may be banished from general and ordinary use, and to exert all competent diligence to bring magistrates to so enlightened and conscientious a regard of the public good, that no improper persons shall obtain tavern licenses, and that taverns shall not be multiplied beyond the obvious necessities of the community, and further, if it should appear that the existing law is not sufficient to check the enormity of the evil, to bring the subject before the Legislature, in order that such amendment of the law may be obtained, as shall render it a bulwark against this vice, so destructive to the temporal well being of the state, and to the spiritual and eternal interests of men.

The Synod urge upon the Ministers of (June 12, 1867,) the Church anew, the adoption of such means as they may consider to be the best adapted, according to the word of God, to prevent the sin and remedy the evils of intemperance.

9. *Hymn Book.*

The Synod authorize the Committee (June 6, 1866,) to publish an edition of the more limited collection of Hymns now proposed; and permit the use thereof to the congregations of this Church.

10. *The Presbyterian.*

The Synod, considering the importance (June 11, 1867,) of the "Presbyterian," as a periodical (July 19, 1848,) devoted to the interests of the Church, and deeming so important a medium for the communication of Ecclesiastical and Missionary intelligence deserving of a large and generous support, earnestly urge its members and congregations to take active steps to promote its circulation.

11. *Memorandum of Presbytery Business.*

The Synod Clerk shall prepare a memorandum of the (June 8, 1868) principal matters to which Presbyteries are required by the Synod to attend annually; a printed copy thereof to be furnished to each Presbytery Clerk, and affixed by him to the inside of the cover of the Presbytery Record.

12. *Statistics.*

The Synod agree to continue a Committee on Statistics (June 9, '68), enjoin Presbyteries to see that returns are made by each Congregation within their bounds, and, for the better carrying out of this object, instruct each Presbytery to appoint a Statistical Committee; the Synod's Committee to consist of Mr. Croil, Convener, and the Conveners of the Committees of the several Committees.